

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 8-20 are in the application. Claims 1-7 have been canceled. Claims 9-12 and 16-19 have been amended. No new matter has been added.

The Examiner withdrew claims 16-20 from consideration. Applicant submits that in light of the RCE submitted herewith, these claims should now be considered by the Examiner.

Claims 1-7 were rejected under 35 USC §102 as being anticipated by Brickman. Applicant respectfully traverses.

Claims 9-12 and 16-19 have been amended to clarify the invention.

Claim 8, which was previously presented, reads: "A sclerophyllic mesh made from electrowelded metallic wires or bars

and having sharp points joined to said metallic bars or wires, wherein said sharp points are electrowelded at intersections of said mesh".

Applicant submits that Brickman does not teach or disclose the sharp points to be located at the intersections of the mesh, neither in the description nor in the figures. Furthermore, the method disclosed in Brickman for making the mesh could never render the sharp points at the intersections of the mesh.

Firstly, as disclosed in column 1, line 52 to column 2, line 7: "A barbed wire is made as follows: a welded wire fabric 2, of the desired weight having the spacing of the cross wires the same as the desired spacing of the barbs, is provided. The cross wires are cut on a bias as shown at 10 in Figure 1 and the cut wires are bent to form a substantially V-shaped barb 12. Each cross wire is bent in a direction opposite to that of the wires adjacent thereto as clearly shown in Figures 2 and 3". Therefore, the cross wires are cut on a bias, forming the sharp points, the result being a number of parallel strands having

sharp points but with no intersections therebetween. Figure 1 shows a partially made barbed wire where only some of the cross wires have been cut on a bias.

Figures 2 and 3 show a longitudinal view of one longitudinal wire with sharp points and tension crimps. Figure 3 is a side view of the same longitudinal wire of Figure 2. Therefore, the sharp points disclosed here are not located at the intersections of the mesh.

Secondly, column 2, lines 8-15 reads: "In making a barbed wire mat, such as shown in Figure 4, substantially the same method is used. Part of the longitudinal wires 14 are cut on a bias and bent into barbs 18 which extend from the mat in one direction. The completed mat consists of a plurality of longitudinal wires 14 and a plurality of cross wires or pickets 16 to which barbs 18 are fastened". In this second case, only some of the longitudinal wires are cut on a bias, the intersections being located between the cross wires and certain longitudinal wires which are left intact. Also, in view of Figure

4, it seems obvious that the barbs 18 are not located at the intersections of the mesh.

Thirdly, figures 8 and 9, respectively showing an apron fence and a moat fence according to Brickman, do not represent the sharp points at the intersections of the mesh.

Fourthly, column 2, lines 46-52 Brickman states: "Figure 10 shows a mat 36 used as an overhang on a fence 38. This mat differs from the previous mat in having the barbs welded to the longitudinal strands. Figure 11 is similar to Figure 10, but discloses a mat 28 having the barbs welded to the cross wires". The Applicant respectfully submits that the Examiner has misinterpreted these figures, since he argued that "Figure 10 and 11 show an embodiment where the barbs are joined to the wire intersections 38" (Final Office Action, page 3). However, reference number 38 represents a fence which does not form part of the Brickman invention. The mat of the invention is represented in figures 10 and 11 by reference numbers 36 and 28, and none of them has any sharp point joined at the intersections

of the mesh.

Finally, neither Figures 12 and 13 nor the corresponding part of the description in column 2, lines 52-column 3, line 3 disclose a mesh having the sharp points located at the intersections of said mesh.

Therefore, the Applicant respectfully considers that claim 8 is not anticipated by Brickman, and accordingly requests reconsideration of the patentability of claim 8 of the present US patent application.

Claim 15 contains the additional feature "wherein each sharp point protrudes from both sides of the mesh". Brickman does not disclose a mesh where each sharp point protrudes from both sides of the mesh.

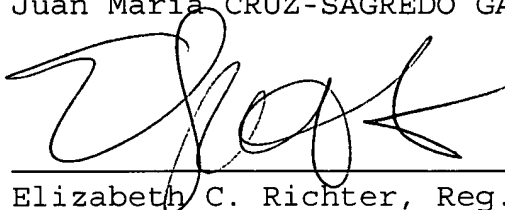
No figure in the Brickman patent shows a single sharp point protruding from both sides of the mesh. Special mention should be made to Figure 3, which appears to have been misinterpreted by

the Examiner. Figure 3, which is a side view of Figure 2, discloses a mesh where some of the sharp points protrude from one side of the mesh and others protrude from the opposite side of the mesh, but no single point protrudes from both sides of the mesh.

Accordingly, claim 15, and claims 16-20 which depend therefrom, are patentable over Brickman.

Accordingly Applicant submits that claims 8-20 are patentable over the cited art. Early allowance of the claims is respectfully requested.

Respectfully submitted,
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